



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JUAN CARLOS BELTRAN and  
TANIA BELTRAN,

Plaintiff,

vs.

FIRST AMERICAN LOANSTAR  
TRUSTEE SERVICES, WELLS  
FARGO HOME MORTGAGE, and  
DOES 1-50, inclusive,

Defendants.

Case No.: CV08-07423 R (RZx)  
Hon. Manuel L. Real  
Courtroom 8 – Spring Street

**~~PROPOSED~~ JUDGMENT**

Complaint Filed: September 29, 2008

The motion of Defendant Wells Fargo Home Mortgage, a division of Wells Fargo Bank, N.A. ("Wells Fargo") to dismiss the first amended complaint of Plaintiffs Juan Carlos Beltran and Tania Beltran pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(e) for failure to state a claim upon which relief can be granted came on regularly for hearing on March 23, 2009 at 10:00 a.m. before the Honorable Manuel L. Real. Jarlath M. Curran, II of the Law Firm of Severson & Werson appeared on behalf of Defendant Wells Fargo. There were no appearances by or on behalf of Plaintiffs. All other appearances are noted on the record.

1 After considering the moving papers as well as all opposition papers, if any,  
2 and good cause appearing:

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Wells  
4 Fargo's motion to dismiss is granted.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that  
6 Plaintiffs' first amended complaint is dismissed with prejudice as to Wells Fargo  
7 Home Mortgage, a division of Wells Fargo Bank, N.A. Plaintiffs are to recover  
8 nothing from Wells Fargo.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW  
10 Roth PLC and or Mitchell Roth, jointly and severally, shall reimburse Plaintiffs any  
11 monies paid to file or pursue this lawsuit.

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW  
13 Roth PLC and or Mitchell Roth, jointly and severally, shall pay Wells Fargo the  
14 sum of \$5,427.26, which constitutes the attorney's fees and costs incurred by Wells  
15 Fargo in defending this action.

16  
17  
18 DATED: May 29, 2009

  
\_\_\_\_\_  
HONORABLE MANUEL L. REAL